

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Proposal for Creation of Low Power FM)	MM DOCKET NO. 99-25
(LPFM) Broadcast Service)	
Docket No. MM 99-25)	

COMMENTS OF:

**Gary L. Nixon
4760 Haase Drive
Fair Oaks, CA 95628-5825**

I file these comments on May 18, 1999, in the matter of MM Docket 99-25, the LPFM NPRM.

I commend Chairman Kennard and the other Commissioners for taking definitely-needed action. I believe the FCC is correct in assessing that a multi-level LPFM service will answer the needs of many, and that there are no comparable alternatives. I further believe that the Commission has an excellent handle on the issue of potential interference; the separation standards, as proposed in the NPRM, are more than adequate (in fact, very conservative) to insure the integrity of the FM broadcast band.

That being said, I offer the following support, agreements, disagreements, comments and suggestions.

I ...

Am wholehearted in support of the creation of a microradio (1 to 10 Watt) class. An absolute MUST.

Strongly urge the FCC to authorize commercial operation at all LPFM levels, especially microradio.

Strongly support the FCC's opinion that there is no need for residency requirements. I agree that there are no benefits to such a restriction, and find recommendations in favor of such requirements, while well intentioned, to be a knee-jerk reaction to the current state of commercial FM broadcast ownership practices. And, as was pointed out in the NPRM, I would be one of those negatively impacted by such a ruling, living in a large metropolitan area.

Strongly agree with the FCC's stance on public interest programming for all three levels of LPFM's, while not requiring the LP100's and microstations to comply with specific programming requirements.

Strongly agree with FCC transmitter certification requirement for LPFM's.

Am strongly in favor of electronic filing for LPFM licenses. I further suggest three day filing windows, staggered across the country. I suggest a 3-tiered (or more) application process, grouping states into three geographic areas (East, Mid, West, etc.), so applications could be staggered over a period of days with a more controlled, or anticipated, volume at each grouping. Applications would be accepted for the state in which the station would be licensed, not by applicant's residence.

Agree with the 50 Watt lower ERP limit for LP100's.

Agree with the FCC's minimum distance separation criteria for application control.

Agree that a small coverage area offers very localized exposure and opportunities to local businesses that could not otherwise afford effective radio advertising. In fact, in some communities there are NO outlets at all to do so.

Agree that LPFM's should not be subjected to 2nd and 3rd adjacent channel protections.

Agree with the FCC on keeping commercial broadcasters out of LPFM ownership.

Agree that LPFM's should not be allowed to operate as a translator, retransmitting programming from a full power station.

Agree with the Environmental Rules and Responsibilities.

Agree that the construction periods are adequate.

Agree with item 82, that Pro Forma process would satisfy statutory requirements, in absence of specific public complaint.

=====

Strongly disagree, and consider needless, the suggestion of reduced bandwidth for LPFM's. This would constitute a competitive on-air disadvantage, and render inexpensive, used transmitters useless. Also, I believe the separation standards, as published in the NPRM, are entirely adequate to avoid interference.

Strongly disagree with any finite, non-renewable license structure.

Strongly disagree with the comment that non-commercial-only operations would increase the amount of quality programming available. I see no basis for this assumption.

=====

Propose microstations could apply for any ERP between 1 to 10 Watts based on interference potential and channel availability, thereby maximizing channel habitation (as opposed to a fixed ERP for the service, i.e. 1, 5, 10 Watts, etc.). Separation guidelines for ERP's from 1 to 10 watts (a grid or table) could be published to help prospective licensees maximize their ERP for their particular location.

Propose that LP100 AND microradio class stations be considered as Primary services over FM translators and boosters, in keeping with the spirit and intent of the new proposed service.

Propose EAS should not be required for LP100 or microstations.

Propose that Service rules, as defined on Page 31, item 73, (Main Studio, Public File, Periodic Ownership Reporting Requirements) should all be applied to LP1000, and only the Periodic Ownership Report being required by LP100's and microstations.

Propose the call sign system to be adopted be the existing call sign structure. As I believe is the case with the reduced bandwidth suggestion, competitive advantage would be compromised, and the public would not benefit. This would help give all signals on the band an equal footing.

=====
Comment: Prohibit translator and booster rebroadcasts of LPFM programming.

Comment: LPFM's should be allowed to use auxiliary broadcast frequencies, being held to local coordination standards and practices (as are other commercial broadcasters).

Comment: LP1000's should protect existing LP100's on co-channel and first adjacent channels.

Comment: Microradio stations should be required to protect each other against interference.
=====

Thank you for the opportunity to voice my opinions!

Sincerely,

Gary L. Nixon
4760 Haase Drive
Fair Oaks, CA 95628-5825
916-967-2930